



30 322.051 Identification cards.—

31 (9) Notwithstanding any other provision of this section or  
 32 s. 322.21 to the contrary, the department shall issue or renew a  
 33 card at no charge to a person who presents evidence satisfactory  
 34 to the department that he or she is homeless as defined in s.  
 35 414.0252(7) or to an inmate receiving a card issued pursuant to  
 36 s. 944.605(7).

37 Section 2. Subsection (3) of section 382.0255, Florida  
 38 Statutes, is amended to read:

39 382.0255 Fees.—

40 (3) Fees shall be established by rule. However, until  
 41 rules are adopted, the fees assessed pursuant to this section  
 42 shall be the minimum fees cited. The fees established by rule  
 43 must be sufficient to meet the cost of providing the service.  
 44 All fees shall be paid by the person requesting the record, are  
 45 due and payable at the time services are requested, and are  
 46 nonrefundable, except that, when a search is conducted and no  
 47 vital record is found, any fees paid for additional certified  
 48 copies shall be refunded. The department may waive all or part  
 49 of the fees required under this section for any government  
 50 entity. The department shall waive all fees required under this  
 51 section for a certified copy of a birth certificate issued for  
 52 purposes of an inmate acquiring a state identification card  
 53 prior to release pursuant to s. 944.605(7).

54 Section 3. Subsection (7) is added to section 944.605,  
 55 Florida Statutes, to read:

56 944.605 Inmate release; notification; identification  
 57 card.—

58 (7) (a) The department, working in conjunction with the

59 Department of Health and the Department of Highway Safety and  
 60 Motor Vehicles, shall provide every Florida-born inmate with a  
 61 certified copy of their birth certificate and a state  
 62 identification card prior to their release upon expiration of  
 63 the inmate's sentence.

64 (b) Paragraph (a) does not apply for the following  
 65 inmates:

66 1. Those inmates that the department determines have a  
 67 valid driver's license or state identification card.

68 2. Those inmates that have any active detainer unless the  
 69 department determines that cancellation of the detainer is  
 70 likely or that the incarceration for which the detainer was  
 71 issued will be of duration less than 12 months.

72 Section 4. Section 944.803, Florida Statutes, is amended  
 73 to read:

74 944.803 Faith- and character-based programs.-

75 (1) The Legislature finds and declares that faith- and  
 76 character-based programs offered in state and private  
 77 correctional institutions and facilities have the potential to  
 78 facilitate inmate institutional adjustment, help inmates assume  
 79 personal responsibility, and reduce recidivism.

80 (2) It is the intent of the Legislature that the  
 81 department expand the faith- and character-based initiative  
 82 through the use of faith- and character-based institutions. The  
 83 department is encouraged to phase out the faith-based and self  
 84 improvement dormitory programs and move toward the goal of only  
 85 implementing faith- and character-based institutions. The  
 86 department is also encouraged to dedicate and maintain faith-  
 87 and character-based institutions that serve both male and female

88 | inmates at their respective institutions.

89 | (3) It is the intent of the Legislature that the  
 90 | department and the private vendors operating private  
 91 | correctional facilities continuously:

92 | (a) Measure recidivism rates for inmates who have  
 93 | participated in faith- and character-based programs.

94 | (b) Increase the number of volunteers who minister to  
 95 | inmates from various faith-based and secular institutions in the  
 96 | community.

97 | (c) Develop community linkages with secular institutions  
 98 | as well as churches, synagogues, mosques, and other faith-based  
 99 | institutions to assist inmates in their release back into the  
 100 | community.

101 | (4) (a) The department shall ensure that an inmate's faith  
 102 | orientation, or lack thereof, will not be considered in  
 103 | determining admission to a faith- and character-based program  
 104 | and that the program does not attempt to convert an inmate  
 105 | toward a particular faith or religious preference.

106 | (b) The programs shall operate 24 hours a day within the  
 107 | existing correctional facilities and must emphasize the  
 108 | importance of personal responsibility, meaningful work,  
 109 | education, substance abuse treatment, and peer support.

110 | (c) Participation in a program shall be voluntary.  
 111 | Assignment to a program shall be based on evaluation and the  
 112 | length of time the inmate is projected to be assigned to that  
 113 | particular institution. The department may not remove an inmate  
 114 | once assigned to a program except for the purposes of population  
 115 | management, for inmate conduct that may subject the inmate to  
 116 | disciplinary confinement or loss of gain-time, for physical or

117 mental health concerns, or for security or safety concerns.

118 (5) The department shall ensure that any faith component  
 119 of any program authorized in this chapter is offered on a  
 120 voluntary basis and an offender's faith orientation, or lack  
 121 thereof, will not be considered in determining admission to such  
 122 a program and that the program does not attempt to convert an  
 123 offender toward a particular faith or religious preference.

124 (6) Within faith- and character-based institutions of the  
 125 state correctional system, peer-to-peer programming shall be  
 126 offered ~~allowed~~, such as Alcoholics Anonymous, literacy  
 127 instruction, and other activities, ~~when appropriate~~.

128 (7) The department shall ensure that state funds are not  
 129 expended for the purpose of furthering religious indoctrination,  
 130 but rather, that state funds are expended for purposes of  
 131 furthering the secular goals of criminal rehabilitation, the  
 132 successful reintegration of offenders into the community, and  
 133 the reduction of recidivism.

134 Section 5. Section 948.0125, Florida Statutes, is created  
 135 to read:

136 948.0125 Reentry Program Sentence.—

137 (1) PROGRAM DEVELOPMENT. The department shall develop and  
 138 implement a reentry program for nonviolent drug offenders. The  
 139 program shall provide a mechanism by which an eligible,  
 140 nonviolent offender for whom the reentry program has been  
 141 ordered as part of his or her conditional split sentence by the  
 142 court may be transitioned into the community during the last  
 143 year of the sentence. The reentry program shall consist of a  
 144 prison-based substance abuse treatment program for a minimum of  
 145 180 days and a community-based aftercare treatment program. The

146 reentry program may include a work-release component.

147 (2) ELIGIBILITY. For an offender to participate in the  
148 reentry program, the court at the time of ordering a state  
149 prison sentence must have imposed a conditional split sentence  
150 whereby the offender is ordered into the department's reentry  
151 program that consists of an in-prison treatment component, and  
152 upon successful completion of that in-prison treatment, followed  
153 by drug offender probation. Entry into the department's reentry  
154 program is subject to available funding and resources of the  
155 department.

156 (a) The sentencing court may order the offender into the  
157 department's reentry program if the offender meets the following  
158 criteria:

159 1. The primary offense is a felony of the third degree;  
160 2. The sentencing court has found that the offender has a  
161 substance abuse problem after the court has requested and  
162 reviewed a presentence investigation report prepared pursuant to  
163 s. 921.231; and

164 3. The offender has never been convicted of:

165 a. A forcible felony as defined in s. 776.08;

166 b. An offense listed in s. 775.082(9)(a)1.r. without  
167 regard to prior incarceration or release;

168 c. An offense described in chapter 847 involving a minor  
169 or a depiction of a minor;

170 d. An offense described in chapter 827;

171 e. Any offense described in s. 784.07, s.784.074, s.  
172 784.075, s. 784.076, s. 784.08, s. 784.083, or s. 784.085;

173 f. Any offense involving the possession or use of a  
174 firearm;

175 g. A capital felony or a felony of the first or second  
 176 degree;

177 h. Any offense that requires a person to register as a  
 178 sexual offender pursuant to s. 943.0435, F.S.; and

179 i. Any offense in another jurisdiction that would be an  
 180 offense described in this subparagraph if that offense had been  
 181 committed in this state.

182 (b) Placement on drug offender probation shall be  
 183 conditioned upon the offender's successful completion of the in-  
 184 prison treatment component of the program.

185 (3) ADMISSION AND PARTICIPATION IN THE REENTRY PROGRAM.

186 (a) If an offender meets the eligibility criteria under  
 187 subsection (2), the sentencing court may order the reentry  
 188 program at the time of sentencing. Admission into the reentry  
 189 program, and an offender's continued participation in the  
 190 program, is not a right. Accordingly, a sentencing court is not  
 191 required to sentence an offender to the reentry program, and an  
 192 offender, based upon conduct in prison may lose eligibility to  
 193 continue participating in the reentry program.

194 (4) PROCEDURE UPON ADMISSION TO PROGRAM; IN-PRISON  
 195 TREATMENT. If the sentencing court orders the offender into the  
 196 reentry program, the department shall, subject to available  
 197 funding and resources, place the offender into the in-prison  
 198 treatment component not more than nine months prior to the end  
 199 of the inmate's incarceration portion of the split sentence  
 200 including any gain time accrued.

201 (a) Before the offender completes the in-prison treatment  
 202 component, the department shall evaluate the offender's needs  
 203 for community placement and develop a post-release treatment

204 plan that includes substance abuse aftercare services.

205 (b) An offender in the in-prison component of the reentry  
206 program is subject to the rules of conduct established by the  
207 department and may have sanctions imposed, including loss of  
208 privileges, restrictions, disciplinary confinement, forfeiture  
209 of gain-time or the right to earn gain-time in the future,  
210 alteration of release plans, termination from the reentry  
211 program, or other program modifications in keeping with the  
212 nature and gravity of the program violation. The department may  
213 place an offender in the reentry program in an administrative or  
214 protective confinement, as necessary. Except as provided in  
215 paragraph (c), the offender shall be readmitted to the reentry  
216 program after completing the ordered discipline.

217 (c) The department shall terminate an offender from the  
218 reentry program if:

- 219 1. The offender commits a violent act;  
220 2. The department determines that the offender is unable  
221 to participate in the reentry program due to the offender's  
222 medical condition;  
223 3. The offender's sentence is modified or expires;  
224 4. The department reassigns the offender's classification  
225 status; or  
226 5. The department determines that removing the offender  
227 from the reentry program is in the best interest of the offender  
228 or the security of the institution.

229 (d) An offender must serve at least 85 percent of the  
230 incarceration portion of the conditional split sentence before  
231 being released to drug offender probation. If the offender does  
232 not successfully complete the in-prison treatment component of

233 reentry program, the drug offender probation portion of the  
234 conditional split sentence becomes a term of imprisonment to be  
235 served while incarcerated. The offender must then serve at  
236 least 85 percent of the total term of imprisonment.

237 (5) PROCEDURE UPON COMPLETION OF IN-PRISON TREATMENT.

238 Following successful completion of the in-prison treatment  
239 component, the offender shall be transitioned into the community  
240 to serve the drug offender probation portion of the offender's  
241 conditional split sentence.

242 (a) While in the community, the offender shall be subject  
243 to all standard terms of probation under s. 948.03, and of drug  
244 offender probation under s. 948.20, any special conditions of  
245 supervision ordered by the sentencing court, including  
246 participation in an aftercare substance abuse program, residence  
247 in a post-release transitional residential halfway house, or any  
248 other appropriate form of supervision or treatment.

249 (b) Violation of any condition or order may result in  
250 revocation of supervision by the court and imposition of any  
251 sentence that is authorized by law, subject to time served in  
252 prison.

253 (c) If there is a postadjudicatory drug court program as  
254 described in s. 397.334 in the county of the sentencing court,  
255 or the county to which the offender returns, and the drug court  
256 is willing to accept the case, the offender's case shall be  
257 transferred to the drug court for supervision for the probation  
258 portion of the offender's split sentence. The drug court judge  
259 shall be deemed the sentencing judge for purposes of ensuring  
260 compliance with this section.

261 (d) While on drug offender probation, the department shall

262 collect from the offender the cost of supervision as provided  
263 for in s. 948.09. An offender who is financially able shall  
264 also pay all costs of his or her drug rehabilitation including  
265 drug testing fees. The sentencing judge may impose on the  
266 offender additional conditions requiring payment of court costs  
267 and fines, public service and compliance with other court-  
268 ordered special conditions.

269 (6) CONTRACTORS. The department may develop and enter  
270 into performance-based contracts with qualified individuals,  
271 agencies, or corporations to supply any or all services provided  
272 in the reentry program. The department may establish incentives  
273 within the reentry program to promote participation by private-  
274 sector employers in the rehabilitative reentry programs and the  
275 orderly operation of institutions and facilities.

276 (7) NO RIGHTS CONFERRED UPON OFFENDERS. This section does  
277 not create or confer any right to any offender to placement in  
278 the reentry program or any right to placement or early-release  
279 under supervision of any type. An offender does not have a  
280 cause of action against the department, a court, the state  
281 attorney, or a victim related to placement in or continued  
282 participation in the reentry program.

283 (8) REPORTING. The department shall, as part of its  
284 annual report, provide a detailed account of the department's  
285 implementation of the reentry program; the number of offenders  
286 sentenced to the program; the number of inmates that  
287 successfully complete the in-prison portion of the program; the  
288 number of inmates that successfully complete the drug offender  
289 probation; and recidivism numbers for inmates that have  
290 participated in the reentry program.

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291 |       (9) RULEMAKING. The department may adopt rules pursuant  
292 | to ss. 120.536(1) and 120.54, to implement the provisions of  
293 | this section.

294 |       Section 6. This act shall take effect July 1, 2013.